

UNITED STATES OF AMERICA



FOUNDED 1836

WASHINGTON, D.C.

B19574

(printed 1898)

First Series of 100

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*An A C T for establishing an Health-office,
for otherwise securing the city and port
of Philadelphia from the introduction of pes-
tilential and contagious diseases, and for re-
gulating the importation of German and
other passengers.*

WHEREAS the laws for preventing pes-
tilential and infectious diseases being
brought into this commonwealth have proved de-
fective, and the increasing intercourse between the
United States, and foreign countries renders it
necessary to provide as well for the establishment
of an efficient Health Office, as for otherwise more
effectually securing the port and city of Philadel-
phia from the introduction of pestilential and
contagious diseases, and regulating the importa-
tion of German and other passengers.

SECT. 1. *Be it enacted by the Senate and House of
Representatives of the Commonwealth of Pennsylvania,
in General Assembly met, and it is hereby enacted by
the authority of the same, That the messuage, tene-
ments and lot of ground, situate and being on the
island in the river Delaware commonly called State-
Island, which have heretofore been reserved, oc-
cupied, and employed for the purpose of a pub-
lic hospital, or pest house, shall be, and the same
are hereby erected and established into an Health
Office for the port of Philadelphia. And the In-
spectors of the said Health Office hereinafter men-
tioned shall cause the said messuage, tenements
and lot of ground, and such other buildings as they
shall at any time deem it expedient, for the uses
herein prescribed, to erect and build on the said
lot, to be in such form and manner constructed,
contrived,*

Establishment
of a Health-
office on State
Island.

contrived, arranged, kept and disposed of, as shall most effectually provide for the comfort, relief and security of the sick persons who may be lawfully sent, removed to, or placed in the said Health Office, for smoking, cleansing and purifying such goods, wares, merchandize and cloathing infected, or suspected to be infected, as may for that purpose be there landed and delivered. And for accomodating the several officers of the said Health Office, according to their respective stations therein, and that the business of the said Health Office may be well and certainly conducted, there shall be appointed by the Governor a Resident Physician, a Consulting Physician, and an Health Officer. And the Inspectors herein after mentioned shall appoint, in the manner herein after directed, a Steward, a Matron, and so many Assistants or Nurses as they shall from time to time find requisite and proper, to be employed in attending upon the sick persons aforesaid, or in fumigating, cleansing, and purifying the goods, wares, merchandize and cloathing which may be landed and delivered at the said Health Office, for the purpose and in the condition aforesaid.

A Resident Physician, Consulting Physician, and Health-officer, to be appointed by the Governor ; a Steward, Matron, Assistants and Nurses, by the Inspectors.

Duty of the Resident Physician.

To attend the Hospital, and visit all vessels.

Proceeding, where the vessels are wholesome.

SECT. 2. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Resident Physician permanently to reside at the said Health Office on State-Island, diligently and impartially with his best skill to attend upon and to administer medical assistance to each and every sick person that shall be therein lodged, and carefully to visit and examine and report all ships and vessels entering the port of Philadelphia from places beyond sea ; and if upon examining any ship or vessel, it shall appear to the said Resident Physician that the persons on board the same are free from every pestilential or contagious disease (exclusively of the small pox and measles) and

and he shall see no cause to suspect that the cargo, or any part thereof, is infected, he shall forthwith deliver to the captain or master of such ship or vessel a certificate reporting the wholesome state of the persons and cargo on board thereof to the Health-officer residing in the city of Philadelphia; and the said captain or master may thereupon proceed according to his destination, and shall deliver such certificate to the said Health-officer within the space of twenty-four hours from and after the arrival of his ship or vessel opposite to the city of Philadelphia. But if it shall appear to the said Resident Physician, that any person or persons on board of any ship or vessel is, or are afflicted with any pestilential or contagious disease, (the small pox and measles excepted) or if there shall be any cause to suspect that the cargo, or any part thereof, is infected with any such disease, he shall detain such ship or vessel at anchor in the stream of the river Delaware opposite to the said Health-office, until the person or persons so afflicted, or the cargo, or the part thereof so infected, shall be landed at the said Health-office, and also until such further effectual measures shall have been used for cleansing and purifying the ship or vessel itself as the said Resident Physician shall devise and direct. And when it shall appear to the said Resident Physician, that such last mentioned ship or vessel has been effectually cleansed and purified, he shall deliver to the captain or master thereof a certificate reporting to the said Health Officer residing in the city of Philadelphia, the number of sick persons and the quantity of goods, wares and merchandize, landed therefrom at the said Health-office, and the measures which have been used for cleansing and purifying the said ship or vessel; and the said captain or master may thereupon proceed according to his destination, and shall deliver such last mentioned

Proceeding,
where the vessels
are sickly.

Compensation
of the Resident
Physician.

mentioned certificate to the said Health-officer within the space of twenty-four hours from and after the arrival of his ship or vessel opposite to the city of Philadelphia; and in lieu of all fees, perquisites and emoluments whatsoever the said Resident Physician shall have and receive for his services under this act for every such vessel two dollars and sixty-seven cents.

The duty of the
Consulting
Physician; to
assist the Resi-
dent Physician;

to visit vessels
previously de-
tained at the
Health-office;

or reported to
be sickly;

proceedings
and power of
the Consulting
Physician in
such cases;

Sect. 3. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Consulting Physician from time to time, upon the request of the Resident Physician, Health-officer, or Inspectors, to visit the Health-office, and to assist the Resident Physician, as well in examining any ship or vessel there detained on account of any pestilential or contagious disease, as in administering medical aid to the sick persons therein accommodated. And upon the arrival opposite to the city of Philadelphia of any ship or vessel which shall have been previously detained at the Health-office by the Resident Physician, for the causes and in the same manner herein before mentioned (of which arrival the Health Officer shall give due notice) or upon receiving information from the Health Officer, Inspectors, or other persons whomsoever, that any ship or vessel has arrived opposite to the city of Philadelphia on board of which any person or persons is or are afflicted with any pestilential or contagious disease, or that there is just cause to suspect that the cargoe, or any part thereof, contained in any ship or vessel so arriving is infected with any such disease, it shall be the duty of the said Consulting Physician in either of the foregoing cases to visit and carefully examine such ship or vessel, and he shall thereupon have and exercise the authority to direct any sick person or persons, or any infected goods, wares and merchandize on board the said ship or vessel to be re-
moved

moved to the said Health-office, or if the case so require, he shall direct the ship or vessel itself to be moved to a convenient station opposite to the said Health-office, there to remain until such effectual measures shall have been used for cleansing and purifying the same as the Resident Physician, with the advice of the said Consulting Physician, shall devise and direct; and whenever the Consulting Physician shall so as aforesaid direct the removal of any sick person or persons, or of any goods, wares and merchandize, or of any ship or vessel at the proper cost and charge of his employers within such reasonable time as the Consulting Physician, under a due consideration of circumstances, shall allow and prescribe. And the said Consulting Physician shall have and receive for each and every visit which he shall pay to the Health-office as aforesaid the sum of eight dollars, and for each and every visit and examination of any ship or vessel as aforesaid the sum of eight dollars, and no more, which sums respectively shall be paid by the master, captain, owner, or consignee of the ships or vessels respectively so visited, and examined, or from which were landed the sick person on whose account such visits to the Health-office were respectively made.

and his compensation.

Sect. 4. *Be it further enacted by the authority aforesaid,* That it shall be the duty of the Health Officer at seasonable and proper hours on each and every day (Sunday excepted) to open and keep a public office at some convenient place in the city of Philadelphia, whereat all matters or captains of ships or vessels shall deliver the certificates or bills of health to them granted by the Residing Physician as aforesaid, and the Inspectors of the Health-office shall there assemble and meet as often as they deem needful, or shall there-to be summoned by the Health Officer, for the purpose

The duty of the Health-officer ;

to keep an office in the city ;

to file bills of
health, and
register ar-
rivals;

purport of the
register;

to visit vessels
previously de-
tained at the
Health-office ;

or reported to
be sickly ;

his proceedings
and powers in
such cases ;

to attend the
meetings of the
Inspectors ;

purpose of executing the duties and trusts of their appointment. And the said Health Officer shall file and preserve in good order all the certificates or bills of health so delivered, and shall keep a register of the ships or vessels for which the same were respectively granted; and the said register shall describe the names of the masters or captains, the names and places of abode of the owners and consignees of the ships or vessels respectively, the port or ports from which the ships or vessels respectively sailed, or at which they touched during their respective voyages, and the number of persons on board thereof respectively, at the time of their leaving their respective ports of departure, and also at the time of their arrival respectively at the port of Philadelphia; and the said Health Officer with the Consulting Physician shall as speedily as conveniently may be visit and examine all such ships or vessels arriving opposite to the city of Philadelphia as have been previously detained by the Resident Physician opposite to the Health-office on account of having any pestilential or contagious disease on board thereof, and also all such other ships or vessels so arriving as upon due information as aforesaid shall be suspected to have on board any person or persons afflicted, or any goods, wares or merchandize infected with any pestilential or contagious disease; and if, in either of the foregoing cases the said Consulting Physician shall direct the removal of any person or persons, or of any goods, wares, or merchandize, or of any ship or vessel agreeably to the authority for that purpose to him therein before given, the Health Officer shall superintend and by all lawful means enforce a compliance with such direction; and he shall also attend at the Health-office when the meetings of the Inspectors hereinafter directed shall there be holden, and at such other times as shall be

be requisite for discharging the duties of his appointment; and he shall superintend the reception and discharge of each and every patient, and take accounts of the receipt and re-delivery of all and singular the goods, wares and merchandize landed at the said Health-office; and he shall direct, examine and controul the conduct of the Steward, Matron, Nurses and Assistants, in all things touching the duties of the said Health-office, the care of the patients therein accommodated, and the smoking, cleansing and purifying the goods, wares and merchandize for that purpose there landed and received, and generally he shall enforce and execute the regulations and instructions of the Inspectors, and do and perform, or cause to be done and performed, all matters and things for the well ordering and securing of the said Health-office, and for attaining the salutary objects of its institution. And the said Health Officer, in full compensation of his services, shall have and receive from the master or captain of each and every ship or vessel permitted by the Resident Physician to pass the Health-office without detention as aforesaid, the sum of twenty-five cents, to be paid at the time of delivering at his office in the city of Philadelphia, the certificate or bill of health of such ship or vessel; and for each and every other ship or vessel which he shall visit, together with the Consulting Physician, in the cases before mentioned, the sum of two dollars and sixty-seven cents, to be paid to him on demand by the master, captain, owner, or consignee of such ship or vessel.

to superintend
the Health-
office;

and to execute
the regulations
of the inspec-
tors.

His compen-
sation,

SECT. 5. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Steward to receive and accommodate all persons duly sent to the Health-office, and to receive and store all goods, wares and merchandize there duly landed; to procure and issue all necessary supplies
for

The duty of the
Steward;

and of the ma-
tron.

Their compen-
sation.

Inspectors of
the Health-
office, how to
be appointed ;

for the use of the Health-office ; to keep regular accounts, as well of such supplies as of the reception and discharge of all persons, or the receipt and re-delivery of all goods, wares and merchandize landed at the Health-office, and generally to obey and enforce all such orders and regulations as the Inspectors, the Resident Physician, or Health Officer, according to their respective stations, shall establish and declare ; and it shall be the duty of the Matron to attend the sick persons who shall from time to time be accommodated in the Health-office, and to inform, regulate and direct the conduct of the Nurses, whom the Inspectors shall authorize to be employed in assisting her ; and the said Steward, Matron, Nurses and other assistants shall have and be allowed such compensation or wages respectively as the Inspectors shall deem reasonable and just, to be paid out of the fund arising from forfeitures and penalties, and from the fees and charges for medicine and attendance in the case of the sick, and for labor and materials in the case of smoking, cleansing and purifying goods, wares and merchandize, to be paid as is hereinafter directed, from the master, captain, owner or consignee of the ships or vessels respectively, from which the same were landed as aforesaid.

Sect. 6. *And be it further enacted by the authority aforesaid,* That the Mayor or Recorder and Aldermen of the city of Philadelphia, together with three Justices of the Peace of the Northern Liberties, and district of Southwark, respectively, on the first Monday of May next, and on the same day of the same month in each and every year thereafter, shall appoint twenty-four persons, of whom fourteen shall be inhabitants of the city of Philadelphia, five shall be inhabitants of the Northern Liberties, and five shall be inhabitants of the district of Southwark, to be In-
spectors

spectors of the Health-office of the Port of Philadelphia, by this act established, and the Inspectors so appointed shall, within three days from and after their annual appointments, respectively assemble at the office of the Health Officer in the city of Philadelphia, and then and there divide themselves, by ballot, into four classes, each class consisting of six Inspectors, and each class, according to a rotation to be in like manner and at the same time settled and fixed, shall be deemed to be on actual duty for the term of one month, and shall be competent to exercise all the powers by this act given to the Inspector of the Health-office, and at least three of the Inspectors of the class from time to time actually on duty shall attend once in every week, or oftener, if necessary, or if any two Inspectors shall require it at the Health-office, on State-Island, and shall inspect and regulate the management thereof, and the conduct of the officers therein appointed, and generally shall do and perform all and singular the other matters and things by this act directed to be by them done and performed; and the Inspectors of each class, taking to their assistance the Resident Physician and Health Officer, shall, on the day succeeding the expiration of their respective monthly tours of duty, make a report in writing to the Governor of the condition of the Health-office, and of the number and diseases of the patients therein from time to time accommodated, and the Inspectors of each class, with the approbation of the Mayor or Recorder, two Aldermen and two of the Justices of the districts aforesaid may and shall make and establish a table of rates, therein specifying the charges for boarding, lodging, nursing, medicinal attendance, and funeral expences, to be paid on account of sick persons sent to the said Health-office, and also for storing, cleansing and purifying goods,

and how to be
divided into
classes.

Duty of the
Inspectors;

to regulate the
Health-office;

to report to the
Governor at the
end of each
tour of duty;

to establish rates
of charges

to make rules
and regulations,
which shall be
hung up in each
room.

Penalty on ob-
structing the
inspectors.

They may ap-
point and dis-
miss the stew-
ard and matron, and
employ nurses
and assistants,

Penalty, if In-
spectors neglect
or refuse to
serve.

Of vacancies in
the office of
Inspector.

goods, wares and merchandize, for that purpose there landed and delivered, and with the like approbation they shall make and ordain all rules and regulations deemed necessary and proper for carrying this act into effect, so far as the same relates to the order and management of the Health-office; and in every room thereof a printed copy of such rates, rules and regulations shall be hung up and conspicuously exhibited; and if any person who-soever shall obstruct or resist the said inspectors or any of them, in the exercise of the powers to them given, or in performance of the duties from them required by this act, such person shall forfeit and pay the sum of one hundred dollars, to be recovered and appropriated as is herein after provided and directed; and the Inspectors with the approbation of the Mayor, Recorder, two Aldermen, and two of the Justices of the Peace of the districts aforesaid, may and shall appoint, and in like manner dismiss, upon reasonable cause, the Steward and Matron of the Health-office; and each class of Inspectors shall have authority to employ so many Nurses and Assistants as they shall from time to time deem necessary and proper; and if any person appointed an Inspector, not having a reasonable excuse, to be approved by the Mayor or Recorder, two Aldermen, and six Justices aforesaid, shall refuse or neglect to serve in the office of Inspector, such person shall forfeit and pay the sum of twenty dollars, to be recovered and appropriated as is herein after provided and directed, and if by death, refusal to act, or by removal of any Inspector from the place for which he was appointed, a vacancy shall happen in the said office, the rest of the Inspectors belonging to the class in which such vacancy may happen shall notify the same to the Mayor or Recorder, two Aldermen, and six Justices, who shall there-upon

upon proceed with all convenient dispatch to supply the vacancy, unless it shall appear to them unnecessary so to do, because of the near approach of the next ensuing annual period of appointment, or because the Inspectors of the class in which such vacancy may happen, shall have completed the tours of duty to which they were liable.

Sect. 7. *And be it further enacted by the authority aforesaid,* That every master or captain of any ship or vessel coming from beyond sea (vessels actually employed in the coasting trade of the United States excepted) and bound to any port or place within the jurisdiction of Pennsylvania, shall cause his ship or vessel to be brought to anchor, or otherwise stayed in the stream of the river Delaware, opposite to the Health-office on State Island aforesaid, and there to remain until he shall have duly obtained a certificate or bill of health from the Resident Physician, in the manner and upon the terms herein before directed; and if, previously to obtaining such certificate or bill of health, any master or captain shall suffer his ship or vessel to approach nearer than the said Health-office to the city of Philadelphia, or shall land, or cause or suffer to be landed, or brought on shore, at any port or place within this commonwealth, or at any other port or place, with the intent to be conveyed into this commonwealth, any person or persons, or any goods, wares or merchandize, or, if after receiving such certificate or bill of health, he shall neglect or refuse to deliver the same to the Health Officer agreeably to the directions of this act, such master or captain shall forfeit and pay for each and every such offence the sum of five hundred dollars, to be recovered and appropriated as is hereinafter provided and directed; and the captain or master of each and every ship or vessel, as soon as the same is brought to anchor,

All vessels from beyond sea to be brought to and remain at the Health-office, till examined and certified.

Penalty, if a captain comes nearer Philadelphia, lands any person or goods, or does not deliver his certificate to the Health-officer.

Boat to be sent for the Resident Physician.

or otherwise stayed as aforesaid, shall send a safe and commodious boat to bring the Resident Physician on board of the ship or vessel, and shall in like manner convey him back to the Health Office, after he has concluded his official examination, and while he is making such examination, or in case of any subsequent examination by the Health Officer and Consulting Physician, agreeably to the directions of this act, the captain or master shall expose or cause to be exposed to the search of the Resident Physician or of the Health Officer and Consulting Physician, as the case may be, each and every part of the ship or vessel, and shall present to his view each and every person on board thereof, and shall also true and satisfactory answers make to all such questions as the Resident Physician at the time of examination, or the Health Officer at the time of delivering the certificate or bill of health in the city of Philadelphia, or at the time of any examination to be had by the Health Officer, together with the Consulting Physician, shall ask relative to the health of any port or place from which the ship or vessel sailed, or has since touched at, the number of persons on board when the ship or vessel entered on her voyage, the number of persons that have since been landed or taken on board, and when and where respectively, what persons on board, if any, have been during the voyage, or shall at the time of examination, be infected with any pestilential or contagious disease, what persons belonging to the ship or vessel, if any, died during the voyage, and of what disease, and what is the present state and condition of the persons on board with respect to their health and diseases; and if any captain or master of any ship or vessel shall refuse to expose the same as aforesaid to the search and examination of the Resident Physician, or of the Health Officer and Consult-

ing

The vessel and crew to be exposed to search and examination.

Answers to be made by the captain to official enquiries.

Penalty on not complying in the above cases.

ing Physician, as the case may be, or if, having on board his ship or vessel any such person or persons, he shall conceal the same, or if in any manner whatsoever he shall knowingly deceive or attempt to deceive the proper officers aforesaid in his answers to their official enquiries, such captain or master for each and every such offence shall forfeit and pay the sum of five hundred dollars, to be recovered and appropriated as is hereinafter provided and directed; and wherever the Resident Physician, or Consulting Physician, as the case may be, shall direct any person or persons, or any goods, wares or merchandize to be landed at the Health Office, or any ship or vessel to be detained opposite thereto, and there to be smoked, cleansed and purified, the captain of the ship or vessel shall in all respects conform to such directions, and shall at the proper cost and charge of his employers carry the same into effect within such reasonable time as the Resident Physician, or Consulting Physician, as the case may be, shall allow and prescribe; and if any master or captain shall refuse or neglect to conform to the said directions, and to carry the same into effect as aforesaid, according to the respective objects thereof, he shall forfeit and pay the sum of five hundred dollars for each and every offence, to be recovered and appropriated as is herein after provided and directed.

Persons, or goods, infected, to be landed at the Health-office by the captain.

Penalty on neglect or refusal to do.

Sect. 8. *And be it further enacted by the authority aforesaid,* That whenever the Governor shall receive satisfactory information that any pestilential or contagious disease prevails in any foreign port or place, or in any port or place within the United States, he shall forthwith, by proclamation, give public notice thereof, and direct that any and every ship or vessel (whether there be or be not on board thereof any sick person or persons,

The Governor shall issue a proclamation, directing vessels coming from infected places to perform quarantine,

Captains of
vessels to com-
ply therewith.

The proclama-
tion to be noti-
fied to pilots,

Penalty on dis-
obeying the
same, by master
or pilots.

Penalty for go-
ing on board of
any vessel, or
permitting the
same, before she
has received a
bill of health.

or any infected goods, wares and merchandize, and whether the same be or be not actually employed in the coasting trade of the United States) coming from or having touched at any such port or places respectively, to be stopped and detained in the stream of the River Delaware, opposite to the said Health Office, and the master or captain, and all persons on board of such ship or vessel shall there do, execute and perform reasonable quarantine, and such other cautionary measures for preventing the introduction of any pestilential or contagious disease into this commonwealth, as the Resident Physician with the advice of the Consulting Physician shall in such case devise and prescribe; and upon the publication of any proclamation as aforesaid, the Health Officer shall, with all possible dispatch, communicate the contents thereof to the pilots belonging to the port of Philadelphia, and if the master or captain of any ship or vessel, coming from or having touched at any port or place in which any pestilential or contagious disease prevails as aforesaid, shall suffer his ship or vessel to be brought, or if any pilot shall knowingly bring the same nearer than the said Health Office to the city of Philadelphia, it shall be the duty of the Health Officer forthwith to remand such ship or vessel to a station opposite to the said Health Office, and the master or captain and pilot so offending shall severally forfeit and pay each the sum of fifty dollars, to be recovered and appropriated as is hereinafter provided and directed; and the pilot shall moreover forfeit his branch as a pilot of this port, and if any person or persons whosoever (the Resident Physician, Consulting Physician, Health Officer, Inspectors and official Assistants, and officers employed and authorised to visit ships and vessels by the laws of the United States excepted) shall go on board of any ship or vessel,

vessel, before the master or captain thereof has duly received a certificate or bill of health, in the manner directed by this act, authorising and permitting him to proceed with his ship or vessel according to his destination, or before any ship or vessel shall have performed the quarantine, and such other cautionary measures as may lawfully be devised and directed by virtue of this act in the cases herein specified, every person so offending, and every master or captain suffering such offence to be committed, shall severally forfeit and pay each the sum of one hundred dollars, to be recovered and appropriated as is herein after provided and directed.

Sect. 9. *And be it further enacted by the authority aforesaid,* That every diseased person, duly landed or sent to the Health Office as aforesaid, shall be there kept and maintained until the Resident Physician, and at least two of the Inspectors shall grant him or her a discharge in writing; and if before obtaining a discharge as aforesaid, any such person shall elope or otherwise absent himself from the Health Office, it shall be lawful for the Health Officer, or any Constable, or other person whom he shall call to his assistance, and they are hereby enjoined and required to pursue and apprehend the person so escaping or absenting himself or herself from the said Health Office, there again deliver him or her to be detained until he or she be duly discharged as aforesaid; and moreover the person so eloping and absenting himself or herself, shall for each and every offence forfeit and pay the sum of one hundred dollars, or suffer such other punishment, by solitary confinement and spare diet, as the Inspectors and Physician shall in that behalf ordain and award; and if any master or captain shall knowingly receive and employ on board of his ship or vessel, or if any house-keeper or other inhabitant

Patients to be kept and maintained at the Health-office, till discharged. Proceedings and penalty on their eloping sooner.

Penalty on those receiving, &c. such transgressors.

inhabitant of this commonwealth shall knowingly receive, harbour, or in any wise entertain any person so eloping or absenting himself or herself from the said Health-office, without having previously obtained a discharge as aforesaid, each and every master or captain, and each and every house-holder or inhabitant so respectively offending, shall forfeit and pay the sum of five hundred dollars, to be recovered and appropriated as is herein after provided and directed; and the expence and charge of boarding, lodging, nursing, phyfic, maintenance and other necessaries, which shall be provided for the diseased persons landed and sent to the Heath office aforesaid, and also of burying them in case of their death, shall be paid and discharged by the importer, master, or captain, owner or consignee of the ships or vessels respectively in which such diseased persons were respectively imported, agreeably to the rates in that behalf by the Inspectors to be ordained and established in the manner herein before directed; and it shall be lawful for the Mayor or any Alderman of the city of Philadelphia, or for any Justice of the Peace, and they are respectively hereby enjoined and required, on application to any of them made by the Health Officer, to summon the importer, master or captain, owner or consignee of any ship or vessel from which any diseased person or persons have been landed or sent to the Health-office as aforesaid, and to oblige such importer, master or captain, owner or consignee, some or one of them, to give bond to the said Health Officer, with one good and sufficient surety, in a competent sum of money, to pay and satisfy the full amount of the expenses and charges aforesaid; and in case the said importer, master or captain, owner or consignee, shall refuse or neglect to appear, or shall refuse to become bound in the manner aforesaid, the

Mayor,

How the expence of patients shall be detracted.

Bonds may be demanded for that purpose.

Proceeding, on refusal to give bond.

Mayor, Alderman, or Justice, before whom he is summoned to appear, shall commit him to the common gaol of the city and county of Philadelphia, there to remain, without bail or mainprize, until he shall conform to the directions of this act : *Provided always nevertheless*, That where the diseased persons are passengers and not servants, the said expense and charges shall be re-paid by them, their executors or administrators, to the captain or master, owner or consignee, who shall pay, and satisfy or be bound to pay and satisfy the same as aforesaid.

In what cases
the expences
shall be repaid
to the captain,
&c. of the vessel.

Sect. 10. *And be it further enacted by the authority aforesaid*, That all goods, wares and merchandize, landed and delivered at the said Health-office, in pursuance of the provisions in this act contained, shall be taken into the custody of the Steward of the Health-office, and be by him safely kept, with as little waste and damage thereof as is possible, and the Steward, and the Assistants for that purpose appointed, shall, under the directions and controul of the Health Officer, use all such effectual means for smoking, cleansing and purifying the said goods, wares and merchandize, as the Resident Physician, with the advice of the Consulting Physician, shall, from time to time, devise and prescribe, and when the said goods, wares and merchandize, shall be so effectually smoked, cleansed and purified, the said Steward shall make re-delivery thereof to the captain, master, owner or consignee of the ship or vessel in which the same were imported, upon an order or permit in writing for that purpose, to be granted by the Resident Physician, and at least two of the Inspectors, and not otherwise ; but the master, captain, owner or consignee of such goods, wares and merchandize, respectively, before the re-delivery thereof as aforesaid, shall pay and satisfy unto the Health Officer the

Of goods, &c.
landed, to be
cleansed ;

of re-delivering
thereof. after
the same shall
be cleansed ;

of paying the
expences there-
of;

the full amount of the expence and charges for storing, keeping, smoking, cleansing and purifying the same, agreeably to the rates in that behalf by the Inspectors to be ordained and established, in the manner herein before directed; and in case of refusal to pay and satisfy the amount of such expence and charges, or in case any goods, wares and merchandize shall be effectually smoked, cleansed and purified, the master, captain, owner or consignee of the ship or vessel in which the same were imported, shall neglect or refuse to receive, and at their proper cost and charge to remove the same, within the term of ten days, from and after notice for that purpose to them or any or either of them given, it shall and may be lawful for the said Health Officer, and he is hereby required to advertise on three several days that there will be exposed to public sale, and on the day and at the place prefixed by such advertisement he shall sell, to the highest bidder, the said goods, wares and merchandize, or so much thereof as shall remain unremoved, after notice as aforesaid, and having deducted and retained from the proceeds of such sale, the amount of the expenses and charges aforesaid, and also the reasonable expence and charge of making the sale, the Health Officer shall pay over the balance, if any, to the master or captain, owner or consignee of the proper ship or vessel, or any one of them.

or selling the
same for
charges.

Of the import-
ation of passen-
gers;

Their number
not to exceed
what can be
well provided
and accommo-
dated.

Sect. 11. *And be it further enacted by the authority aforesaid,* That no master or captain of any ship or vessel, bound to any port or place within this commonwealth, shall bring within the capes of the bay and river Delaware; or into any port or place within this commonwealth, any greater number of passengers, servants, or other persons whatsoever, than can and shall be well supplied with sufficient good and wholesome drink and meat,

meat, and other necessaries, particularly vinegar, as well to wash and cleanse the vessel as for the use of the persons on board during the voyage; and the room or birth that shall be allowed to each single person on board of such ship or vessel of the age of fourteen years and upwards or to two persons, being under that age, shall be at least six feet in length and one foot six inches in breadth; and if the the same shall be situated in the forepart of the ship or vessel between decks it shall be the height at least of three feet nine inches, and if it be situated in the cabin or steerage it shall be the height at least of two feet nine inches; and no more than two whole freight persons shall be put together in one birth, bedstead, or division, except in the case of parents and children, when they shall approve and desire the same to be done and allowed, and every master or captain of any ship or vessel, importing passengers, servants, or other persons whatsoever, by, or for whom the number of fifty whole freights or upwards shall be payable, shall at the charge of the owner or owners of his ship or vessel, provide and employ a skilful physician of good character, and a chest, with a competent assortment of medicines, for the use and accommodation of all persons whatsoever on board his ship or vessel; and the physician so provided shall administer medicine and medicines to all sick persons on board the ship or vessel, according to his best skill and judgement, as often as occasion shall require, without asking, demanding, or receiving any pay or satisfaction therefor from such sick persons respectively; and every master or captain of any ship or vessel containing the number of whole freights aforesaid shall twice in every week during the voyage cause the ship or vessel to be thoroughly smoked by burning tar between decks, if the same can be done without injury to any sick person

Dimensions of
their births.

Where there
are fifty whole
freights, a doc-
tor to be em-
ployed.

His duty.

Of smoking
and cleansing
ships at sea.

Penalty for selling liquors, &c. at more than fifty per cent. advance,

Trusting passengers with liquors exceeding four dollars, the debts not recoverable.

The visiting officers to enquire whether these directions are complied with.

Of the German interpreter.

person or persons that may be on board, and shall also, twice in every week, if the weather will permit, during the voyage, cause the ship or vessel to be well washed with vinegar, and while the means aforesaid shall be using to cleanse the ship or vessel, the master or captain thereof may require and compel all persons, not incapacitated by sickness or other reasonable cause, to come and remain on deck until such cleansing shall be performed and completed; and if any master, captain or other person whosoever, on board of any ship or vessel, shall, at a greater price than fifty per cent. profit, upon the first cost, retail or sell unto any passenger or passengers, any wine, brandy, rum, geneva, cordials, beer, cider, or other spirituous liquors, or any grocery, spices, or other necessities for sick persons, the master, captain or other person, so offending, shall, for each and every offence, forfeit and pay the sum of fifty dollars, to be recovered and appropriated as is hereinafter provided and directed; and if any master, captain or other person, whether severally or altogether, shall, during the voyage, trust or credit any one passenger with more liquor or other articles whatsoever, than shall amount in the whole to the value of four dollars, or if more than one third part of that sum shall be for spirituous liquors, the master, captain, or other person so trusting or crediting, shall be disabled from recovering any debts for all and any such articles from any passenger so trusted or credited; and the Resident Physician, Consulting Physician, and Health Officer, respectively, on visiting any ship or vessel, bound to any port or place within this commonwealth, as aforesaid, shall diligently enquire whether the directions herein given have been fully complied with, and on the arrival of any vessel importing German passengers opposite to the city of Philadelphia, the

Health

Health Officer shall moreover visit the same and take with him a respectable German inhabitant of the city of Philadelphia well versed in the English and German languages, to be his interpreter; and the said interpreter shall be appointed and commissioned by the Governor, and shall take an oath or affirmation before the Mayor of the city of Philadelphia, for the time being, that he will well and faithfully interpret between the Health Officer and such German passengers, and in all other respects diligently and uprightly execute the duties of his appointment; and the Health Officer shall, at least once in every week, taking with him the said interpreter, in case of a ship or vessel importing German passengers, go on board every ship or vessel having passengers, to examine whether they are accommodated agreeably to the directions of this act; and the said interpreter for the first visit shall have and receive the sum of two dollars, and for every subsequent visit the sum of one dollar, to be paid by the master, captain, owner or consignee of the ship or vessel so visited; and if any master or captain of any ship or vessel shall not have provided a sufficient quantity of good and wholesome provisions, vinegar, and other necessities as aforesaid, or if he shall not have allowed a room or birth to the persons on board his ship or vessel agreeably to the directions of this act, or if, having the number of fifty whole freights as aforesaid, he shall not have provided a physician and chest of medicines for the use and accommodation of all persons on board his ship or vessel, or shall have neglected during the voyage to cleanse the ship or vessel, in the manner herein before in such case directed, such master or captain shall for each and every of the foregoing offences forfeit and pay not less than five hundred dollars, nor more than fifteen hundred dollars, to be recovered

and

by whom to be appointed, and how to be qualified.

The Health-officer to visit vessels with passengers weekly.

Compensation of the interpreter.

Penalty for transgressing the directions of this section.

and appropriated as is hereinafter provided and directed.

Sect. 12. *And be it further enacted by the authority aforesaid,* That every master or captain of any ship or vessel, importing passengers into this commonwealth, shall give, or cause to be given, unto each of such passengers a bill of lading in the common form, for all such goods, wares and merchandize, belonging to such passengers respectively as they require no access to during the voyage, and shall be put into the hold of the same ships or vessels respectively in which they are respectively passengers, or in any other ship or vessel by the master, captain or merchant hired to carry the goods, wares and merchandize of such passengers; but for all such goods, wares and merchandize as the passengers respectively shall have between decks, in their own charge, the master or captain shall not be obliged to give bills of lading or be answerable for any loss, damage or embezzlement thereof; and if any master or captain shall refuse or neglect to give a bill of lading, in the cases herein directed, he shall for each and every offence forfeit and pay the sum of one hundred dollars, to be recovered and appropriated as is hereinafter provided and directed.

Bills of lading to be given to passengers, for goods put into the hold;

but for goods in their own charge themselves only responsible.

Penalty on refusing to give bills of lading

Passengers to be discharged, on paying or tendering their freight, and their goods landed without charge,

Sect. 13. *And be it further enacted by the authority aforesaid,* That every passenger brought in any ship or vessel into this commonwealth as aforesaid, on paying or tendering to the master, captain, owner or consignee of such ship or vessel, his or her freight, if a single person, and also, if married or having children the freight of his or her family, the full sum for which he or she agreed in Europe, either in the coin or specie in his or her contract mentioned, or in Pennsylvania currency equivalent thereto, shall be immediately discharged from such ship or vessel, and all his or her goods, wares and merchandize

merchandize on board thereof, to him or her in good order delivered on shore, without any further cost or charge of landing them, and any master, captain, owner or consignee, refusing to accept such tender, and to put on shore the person by whom or on whose behalf the tender was made, with all his or her goods, wares and merchandize as aforesaid, shall, for each and every offence, forfeit and pay the sum of fifty dollars, to be recovered and appropriated as is herein after provided and directed; and moreover shall be liable to be sued by the party injured in action of trover, and conversion, or of false imprisonment, as the case may require; but it shall and may be lawful for the master, captain, owner or consignee of any ship or vessel importing passengers into this commonwealth as aforesaid, to keep and detain any such passengers who are unable to pay their freight on board the same ship or vessel wherein they were respectively imported, for the space of thirty days next after their arrival opposite to the city of Philadelphia, in order that they may have time to find out relations or friends who may discharge their freight, or to agree with some person or persons who shall be willing to pay the same in consideration of their servitude for a term of years, agreeably to custom: And every indenture, whereby any such passenger shall be bound to serve his or her master or mistress, shall be acknowledged before the Mayor of the city of Philadelphia, or in case of German passengers before the Register of German passengers, according to law; but no master, captain, owner or consignee of any ship or vessel shall separate any husband and wife who came passengers in any such ship or vessel by disposing of them to different masters or mistresses, unless by mutual consent of such husband and wife; nor shall any passenger, without his or her consent,

Penalty on refusing to do

But they may be detained thirty days for their freight.

Indentures how to be acknowledged.

Husband and wife not to be separated.

Penalty on disposing of passengers to serve out on the water.

and indentures,
in certain cases,
void.

Passengers de-
tained on board
for their freight
to be well pro-
vided, for thirty
days, at the ow-
ner's expence.

afterwards, at
the expence of
the passengers.

Sick persons
&c. to be re-
moved, and
provided for on
shore;

but if they can-
not be removed
without dan-
ger, they shall
be accommoda-
ted on board.

consent, be disposed to any person residing out of this commonwealth, under the penalty of one hundred dollars for each and every offence, to be recovered and appropriated as is hereinafter provided and directed; and, moreover, every indenture in such case made, without the mutual consent of the husband and wife as aforesaid, shall be void; and the master or captain of such ship or vessel shall, during the said term of thirty days, well and sufficiently provide for each and every passenger so retained and kept on board, good and wholesome meat, drink, and other necessaries and accommodations, at the proper cost and charge of the owner of such ship or vessel; but if any passengers shall continue on board any such ship or vessel after the expiration of the aforesaid term, the master or captain thereof shall provide for such passengers, at their cost and charge respectively, all necessaries and accommodations, as aforesaid, to be added to the accounts of such passengers respectively, and recovered with their freights; and shall remove on shore all sick persons whose diseases are not pestilential or contagious, and women near the time of labour, to some convenient house, and there provide them with necessary accommodations and nursing, the expense whereof shall be charged to such passengers respectively, to be added to and recovered with their freights; if however, there shall be any sick persons on board of any such ship or vessel, who cannot be removed without danger, the master or captain may and shall make as convenient accommodation on board of the ship or vessel for such sick persons as circumstances will admit of, or as the Health Officer and Consulting Physician, upon application or complaint to them made, shall order and direct.

Sect. 14. *And be it further enacted by the authority aforesaid,* That from the time any ship or vessel shall have put to sea, all the goods, wares and merchandize of the passengers aforesaid, on board thereof, who have not paid for their passages at the place from whence they sailed, shall stand a lawful pledge for the freight money of such passengers, until the same shall be fully paid and satisfied; and it shall be lawful for the master, captain, owner, or consignee of such ship or vessel, at any time within thirty days after the arrival of such passengers within this commonwealth, to apply to any two Aldermen, or Justices of the Peace, for the city or county where such passengers shall be landed, for an execution against the goods wares and merchandize of such passengers, and the said Aldermen, or Justices, are hereby empowered and required to issue a summons, directed to a constable of the place where the defendant liveth, to summons such defendant to appear before them, on some certain day, therein to be expressed, not less than five, nor exceeding eight days from the date of such process, to shew cause why such execution should not be granted, and at the time appointed, the said Aldermen, or Justices, having heard the allegations and proofs of the parties, shall give judgment thereon, or at the request of either of the parties, shall appoint auditors, or, if the defendant cannot be found, or doth not appear, give judgment for the freight money that shall appear to be due, and award execution against the goods, wares and merchandize of such defendant, with such costs of suit as are by law allowed on the recovery of debts of equal amount; and the master, captain, owner or consignee of any ship or vessel importing passengers as aforesaid, permitting any such passengers to go on shore from such ship or vessel, and retaining either on board or in some store or other place on shore, all or any

Goods of passengers shall be a pledge for their freight.

How execution may be issued against such goods.

Passengers going on shore, leaving their goods as a pledge, shall have a certificate of such goods.

of the goods, wares, and merchandize belonging to such passengers for security of the payment of their freights respectively as aforesaid, shall be obliged under the penalty of five pounds, (to be recovered and appropriated as is hereinafter provided and directed) to give to such passengers respectively, a certificate, specifying the goods, wares and merchandize, and the sum for which they are retained, with the time and terms on which they may be redeemed, by the payment of freight money, and interest, but no passenger shall be obliged to pay any storage for goods, wares and merchandize so retained as aforesaid, and no master, captain, owner, or consignee of any such ship or vessel, or any other person for them, or any of them, under any pretence whatever, shall take any bill, bond, note, or other specialty or instrument in writing whatsoever, from any such passenger, nor make any contract with any such passenger while on ship board, or after his arrival within this commonwealth, to compel him or her to pay for the freight of another passenger, except in the cases herein before mentioned; and all bills, bonds, notes, specialties, instruments and contracts so made and taken shall be utterly null and void: *Provided always*, That if any such passenger, after having discharged his or her own freight, shall be willing to enter into a joint obligation with any other passenger or passengers, who shall remain in debt for his, her or their freight, to secure the payment thereof, such obligation shall be good and valid in law.

SECT. 15. *And be it further enacted by the authority aforesaid*, That the master or captain of any ship or vessel, taking on board any passenger as aforesaid, to be landed within this commonwealth, who in their passage hither, or soon after, may die, leaving goods, wares and merchandize, money, or other effects whatsoever, on board, or in the hands

Not bound to,
pay storage for
such goods.

One passenger
not to be bound
to pay for ano-
ther,

unless he has
first paid his
own freight.

proceedings as
to the goods of
Persons dying
at sea.

hands and custody of any such master or captain, shall, within the term of twenty days, next after his arrival opposite to the city of Philadelphia, or after the decease of every such passenger, exhibit to the Register of Wills of the county in which the property is, a true and perfect inventory thereof, to the end that, after payment of all just demands, which shall be due to the master, captain, owner, or consignee of such ship or vessel, the remainder may be committed to the custody of some proper person or persons, for the benefit of the wife or children, next of kin, or creditors of the deceased, as the case may require, and the law in such cases shall direct: and if any master or captain shall refuse or neglect to exhibit such inventory as aforesaid, he shall for every such offence, forfeit and pay the sum of five hundred dollars, to be recovered and appropriated as is hereinafter provided and directed; and no master, captain, owner, or consignee of any ship or vessel shall charge the freight of any passenger so dying as aforesaid, to his or her surviving relations, nor shall any passenger be compelled against his or her will, to pay or make good by service, all or any part of the freight of his or her relations dying as aforesaid: *Provided always*, That if any minor child at the time of his or her importation be of such an advanced age, that his or her service, until he or she arrives at the age of twenty-one years, shall not be equal and sufficient to pay and discharge the money due for his or her own freight or passage, then and in such case, he or she may and shall be bound to serve for the same until the age of twenty-four years, and no longer, unless the said money can be raised by his or her service for a shorter term, any law, custom, or usage, to the contrary notwithstanding.

SECT. 16. *And be it further enacted by the authority aforesaid*, That for payment and satisfaction of all forfeitures and penalties, which are imposed, and

Penalty on refusal or neglect to comply therewith.

Freight of passengers dying, not chargeable on their relations.

In what cases minors may be bound for their freight till twenty-four.

All vessels, captains, owners and consignees, bound for the forfeitures and penalties under this act.

and all sums of money directed by this act to be paid by the masters, captains, owners or consignees, as well the ships or vessels respectively as the captains, masters, owners or consignees thereof, shall be and are hereby declared liable, and it shall be the duty of the Health Officer to collect, recover and receive the same, and all other forfeitures and penalties imposed and sums of money directed to be paid by this act, and the same shall be recoverable before any Alderman, Justice of the Peace, or court of justice having lawful jurisdiction, to the amount of such forfeitures, penalties and sums of money, respectively, and when recovered and received, the same (if not otherwise herein before specifically appropriated) shall be appropriated by the Inspectors of the Health-office on the drafts of any three of them, towards paying the wages of the Steward, Matron, Nurses, and Assistants, the expence of keeping a boat and boat's crew for the use of the Health-office, under the direction of the Health Officer, and for defraying the cost of all other necessaries to carry on the business of the Health-office, agreeably to the true intent and meaning of this act; and the Health Officer, for his trouble in collecting and receiving such forfeitures, penalties and sums of money (other than the fees payable for his own services) shall have, receive and retain a compensation at and after the rate of two and an half per centum on the amount so recovered and received.

How recoverable;

and how appropriated.

Commission to the Health-officer, on recovering the same.

Limitation of prosecutions under this act.

SECT. 17. *And be it further enacted by the authority aforesaid,* That all actions or prosecutions to be commenced against any master, captain, owner or consignee of any ship or vessel, or other person, by virtue of this act, shall be brought within two months next after the arrival of the ship or vessel opposite to the city of Philadelphia; and if any action or suit shall be commenced against any person or persons for any matter or thing done in
 ---rformance

purfuance of this act, the defendant or defendants may plead the general issue, and give this act and the fpecial matter in evidence at any trial to be had thereupon; and if the plaintiff fhall be non-fuited or difcontinue his action, or if judgment fhall be given againft him, the defendant or defendants fhall recover treble cofts to be adjudged by the court.

General if-
fue may be plead-
ed, and the act
given in evi-
dence.

Sect. 18. *And be it further enacted by the autho-
rity aforefaid,* That the act entitled “An act to pre-
vent fickly veffels coming into this government,” the
act entitled “An act for vefting Province-Ifland
and the buildings thereon erected, and to be erected
in Trustees, for providing hofpitals for fuch pas-
fengers as fhall be imported into this province,
and to prevent the fpreeding of infectious diftem-
pers,” the act entitled “An act for prohibiting
the importation of German or other paffengers in
too great numbers in any one veffel,” the act en-
titled “A fupplement to the act, entitled an act
for prohibiting the importation of German or o-
ther paffengers in too great numbers in any one
veffel,” and the act, entitled, “An act to prevent
infectious difeafes being brought into this pro-
vince,” fhall be, and each, and every of them,
are hereby forthwith repealed, except fo far as the
fame refpectively provide and eftablifh regulations
for the importation of German or other paffengers,
which regulations fhall continue in force until the
firft day of January in the year one thoufand feven
hundred and ninety-five, but no longer; and the
regulations by this act provided and eftablifhed
for the importation of German or other paffengers
fhall be fufpended until the faid firft day of January
in the year one thoufand feven hundred and nine-
ty-five and no longer.

Repeal of for-
mer laws.

Sect. 19. *And in order to guard againft the
extension of any peftilential or contagious difeafe
(the fmall-pox and measles excepted) that may
at any time hereafter break out in the city of Phi-
ladelphia,*

Philadelphia, the Northern Liberties, and the District of Southwark, *Be it further enacted by the authority aforesaid*, That the Mayor or Recorder, and two Aldermen of the city, and the Commissioners of the city and county of Philadelphia, shall have authority to bargain for and purchase some convenient lot of ground in the neighbourhood of the city of Philadelphia, easily accessible by water as well as by land, and the same to take and hold in trust for the purpose of erecting and establishing thereon a public hospital; and the Inspectors of the Health-office shall have authority on the said lot to erect suitable buildings for a public hospital, and shall also inspect and regulate the internal management thereof, and when necessary, appoint a Steward, Matron, Nurses and Assistants therefor, in the same manner, under the same penalties, and with the like regulations as are provided and authorized in the case of the Health-office herein before established; and the Consulting Physician aforesaid, and such Assistant Physicians as shall from time to time be appointed for the purpose, by the said Inspectors, shall attend and give medical aid to all the patients that shall from time to time be lodged in the said public hospital, and the Health Officer shall enforce and superintend all the regulations for carrying into effect the objects of this institution, and all persons whosoever (other than persons or board of any ship or vessel and liable to be sent as aforesaid to the Health-office) residing within the city and county of Philadelphia who shall be afflicted with any pestilential or contagious disease (the small pox and measles excepted) may, and shall upon the advice and order of the Consulting Physician, and any two Inspectors, be removed by the Health Officer and such Assistants as he shall for that purpose employ, to the said public hospital or to such other place as the said Physician or Inspectors shall

prove

A public hospital to be established in the neighbourhood of Philadelphia.

By whom and how to be erected, regulated and superintended.

What sick persons shall be there accommodated;

and by whose order sent thither.

approve, at the proper costs of the person so removed, there to be lodged, nursed, maintained, and kept until duly discharged by a permit in writing signed by the Consulting Physician, and at least two Inspectors, and the Consulting Physician, Assistant Physicians, Health Officer, Steward, Matron, Nurses and Assistants; employed in the business of the said public hospital, shall, when in actual employment, be allowed for their respective services such reasonable compensations as the Inspectors, with the approbation of the Mayor or Recorder, two Aldermen, and three Justices, shall from time to time deem proper and just; and a fund for purchasing a lot of ground as aforesaid, for erecting the buildings suitable to a public hospital thereon, for supplying the same with medicines and necessaries, for compensating the officers therein employed, and for defraying all other incidental charges thereof, shall, from time to time, be raised by a reasonable and moderate tax upon the inhabitants and estates real and personal in the city, the Northern Liberties, and district of Southwark; and the amount thereof shall be regulated and limited by the said Mayor or Recorder, two Aldermen, and three Justices of the Northern Liberties, and district of Southwark; and the Commissioners for the city and county of Philadelphia shall thereupon have authority, and they are hereby required, to levy and collect the same as in ordinary cases for levying and collecting city and county rates and levies: *Provided always nevertheless*, That each and every patient and his or her estate real and personal, shall be liable to pay, satisfy and reimburse, all the charges and expense on his or her account incurred in the said public hospital, unless the Mayor or Recorder, or two Aldermen, and four Justices of the county of Philadelphia, award that he or she shall be exonerated and exempted therefrom.

Compensation
of the Physi-
cians, and other
officers of the
hospital.

The fund for
the purposes of
the hospital,
how to be as-
sessed;

and how to be
levied,

The estates of
all patients lia-
ble for their
expenses, unless
they are speci-
ally exonerated,

Sect. 20. *And whereas* it appears that there is a balance of three thousand two hundred and forty five dollars and twelve cents, due to a benevolent and meritorious committee of citizens, for monies by them expended in relieving the sick and poor during the calamity that afflicted the city and liberties of Philadelphia in the months of September, October and November last, and justice and gratitude equally require, that provision should be made for discharging the said balance; therefore, *Be it enacted by the authority aforesaid,* That it shall be lawful for the Governor, and he is hereby required to draw a warrant on the Treasurer of the commonwealth for the sum of three thousand two hundred and forty-five dollars and twelve cents, and to apply the same in discharge and satisfaction of the balance due as aforesaid, to the said benevolent and meritorious committee, and the treasurer shall pay the said warrant out of the fund appropriated for the support of government.

A balance due to the committee, who relieved the sick during the late epidemic, to be paid.

Sect. 21. *And be it further enacted by the authority aforesaid,* That the Mayor, Aldermen, and Citizens of Philadelphia, in Common Council assembled, shall have power, by their ordinance for that purpose, to prohibit any future interments within such parts of the city of Philadelphia wherein they shall judge such prohibition necessary, and to impose such fines for any breach of such ordinance as they may deem necessary.

The Corporation of Philadelphia empowered to prevent burials within the city.

Sect. 22. *And whereas,* by a patent under the great seal of the commonwealth, bearing date the thirteenth day of December one thousand seven hundred and ninety three, city lots therein described were granted to the Mayor, Aldermen, and Citizens of Philadelphia, and their successors in trust for public use as a burial ground for the interment of deceased strangers, and such other persons who may not have been in communion with

any

any religious society at the time of their decease :
And whereas no interments have yet taken place
 in either oft he said lots, and it would be advan-
 tageous to the Citizens of Philadelphia if the said
 lots should be disposed of, and the money arising
 from the sale thereof should be applied to the pur-
 chase of other ground more extensive and suitable,
 as well for the purposes aforesaid as for the general
 interment of persons dying in the city Philadelphia
 and its immediate vicinity; *Be it therefore*
enacted by the authority aforesaid, That it shall
 and may be lawful for the Mayor, Aldermen,
 and Citizens of Philadelphia, or their suc-
 cessors, to sell and dispose of three certain lots of
 ground within the city of Philadelphia, or any or
 either of them, which lots are described in a pa-
 tent under the great seal of this commonwealth,
 dated the thirteenth day of December one thousand
 seven hundred and ninety, granting the same to
 the said Mayor, Aldermen, and Citizens for the
 uses and trusts therein mentioned, and to apply
 the money arising from such sale to the purchase
 of such other lot or lots of ground out of the bounds
 of the city or the inhabited parts thereof, as they
 may judge suitable and necessary for a place of
 general interment, of persons who may hereafter
 die in the city of Philadelphia, or the suburbs
 thereof.

Certain lots,
 heretofore con-
 veyed to the
 Corporation in
 trust, for public
 burying-
 grounds, may
 be sold;

and the pro-
 ceeds applicd
 to purchase
 more conve-
 nient lots for
 the same pur-
 pose.

GEORGE LATIMER, Speaker of
 the House of Representatives.

ANTHONY MORRIS, Speaker
 of the Senate.

Approved, April 22d, 1794.

THOMAS MIFFLIN, Governor of the
 Commonwealth of Pennsylvania.

